

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROY D. NEWPORT, *et al.*,

No. C 10-04511 WHA

Plaintiffs/Counter-Defendants,

v.

**ORDER REQUESTING
RESPONSE**

BURGER KING CORPORATION,

Defendant/Counter-Claimant,

v.

ANTELOPE VALLEY RESTAURANTS, INC, *et al.*

Counter-Defendants.

Burger King Corporation claims to have tendered the defense of the *Castaneda* action but the undersigned judge cannot find any tender letter. Please advise where in the existing record a tender letter can be found, and if one was not timely and effectively made, what the effect would be under the California Civil Code. Please respond by **NOON ON FRIDAY**. BKC may respond with five pages or less. All other parties must file a joint response of five pages or less.

IT IS SO ORDERED.

Dated: November 30, 2011.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE